

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIO RODRIGUEZ,

Movant,

CASE NO. 08-CV-13263

HONORABLE GEORGE CARAM STEEH

v.

GREG McQUIGGIN,

Warden.

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ORDER DENYING ISSUANCE OF CERTIFICATE OF APPEALABILITY

On July 20, 2015, the court denied movant Mario Rodriguez's motion for relief from judgment. (Doc. #27). Under Fed. R. App. P. 22, an appeal may not proceed absent a certificate of appealability ("COA") issued under 28 U.S.C. § 2253. A COA may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds no substantial showing of the denial of a constitutional right was made by Rodriguez, and accordingly DENIES the issuance of a certificate of appealability.

IT IS SO ORDERED.

Dated: September 15, 2015

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 15, 2015, by electronic and/or ordinary mail and also on Mario H. Rodriguez #288697, Kinross Correctional Facility, 16770 S. Watertower Drive, Kincheloe, MI 49788.

s/Barbara Radke
Deputy Clerk